

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

SEVENTY-FIFTH LEGISLATIVE DAY
FRIDAY, MARCH 27, 2009

Senate Chamber

President Little called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Andreason and Hammond, absent and formally excused by the Chair; and Senators Bair, Bilyeu, Brackett, Broadsword, Cameron, Heinrich, Keough, LeFavour, Mortimer, Schroeder, and Siddoway, absent and excused.

Prayer was offered by Chaplain Henry Webb.

The Pledge of Allegiance was led by Natalie Tippetts, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 26, 2009, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senators Bair, Broadsword, Brackett, Heinrich, Keough, Siddoway, and Schroeder were recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 27, 2009

The JUDICIARY AND RULES Committee reports that [S 1163](#), [S 1164](#), and [SJM 102](#) have been correctly printed.

DARRINGTON, Chairman

[S 1163](#) and [S 1164](#) were referred to the Commerce and Human Resources Committee.

[SJM 102](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 26, 2009

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 170](#), [H 220](#), [H 230](#), [SCR 110](#), and [HCR 29](#) with the recommendation that they do pass.

ANDREASON, Chairman

[H 170](#), [H 220](#), and [H 230](#) were filed for second reading.

[SCR 110](#) and [HCR 29](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Bilyeu was recorded present at this order of business.

March 26, 2009

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 232](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

HILL, Chairman

There being no objection, [H 232](#) was referred to the Fourteenth Order of Business, General Calendar.

March 26, 2009

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 242](#) with the recommendation that it do pass.

HILL, Chairman

[H 242](#) was filed for second reading.

March 27, 2009

The STATE AFFAIRS Committee reports out [HCR 12](#), [HCR 22](#), and [H 161](#), as amended, with the recommendation that they do pass.

MCKENZIE, Chairman

[HCR 12](#) and [HCR 22](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[H 161](#), as amended, was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

Senator Mortimer was recorded present at this order of business.

March 26, 2009

Dear Mr. President:

I transmit herewith [H 261](#) and [H 262](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 261](#) and [H 262](#) were filed for first reading.

March 26, 2009

Dear Mr. President:

I return herewith [S 1042](#), [S 1078](#), [S 1117](#), [S 1066](#), [S 1076](#), [S 1017](#), as amended, as amended, [S 1005](#), as amended, [S 1006](#), as amended, [S 1007](#), and [S 1106](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1042](#), [S 1078](#), [S 1117](#), [S 1066](#), [S 1076](#), [S 1017](#), as amended, as amended, [S 1005](#), as amended, [S 1006](#), as amended, [S 1007](#), and [S 1106](#) were referred to the Judiciary and Rules Committee for enrolling.

March 26, 2009

Dear Mr. President:

I transmit herewith Enrolled [H 127](#), [H 41](#), [H 75](#), and [H 192](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 127](#), [H 41](#), [H 75](#), and [H 192](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that [HJM 3](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator McKenzie, seconded by Senator Davis, [HJM 3](#) was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Scott McLeod was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heinrich, seconded by Senator Kelly, the Gubernatorial appointment of Scott McLeod as a member of the Idaho Lottery Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

Senator LeFavour was recorded present at this order of business.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Larry A. Crowley was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Kelly, seconded by Senator Stegner, the Gubernatorial appointment of Larry A. Crowley as a member of the Idaho Energy Resources Authority was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Jeffrey L. Bowen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by President Pro Tempore Geddes, seconded by Senator Kelly, the Gubernatorial appointment of Jeffrey L. Bowen as a member of the Bingo-Raffle Advisory Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1165

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO PUBLIC SCHOOLS; AMENDING CHAPTER 3, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-319, IDAHO CODE, TO PROVIDE THAT CERTAIN SCHOOL DISTRICTS SHALL BE CONSIDERED RURAL SCHOOL DISTRICTS AND TO PROVIDE THAT CERTAIN PUBLIC CHARTER SCHOOLS SHALL BE CONSIDERED RURAL PUBLIC CHARTER SCHOOLS.

S 1166

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE STATE INSURANCE FUND; TO PROVIDE LEGISLATIVE INTENT; REPEALING SECTION 72-915, IDAHO CODE, RELATING TO DIVIDENDS; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

S 1167
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO WATER; AMENDING SECTION 42-1737, IDAHO CODE, TO PROVIDE THAT PROJECT PROPOSALS RELATING TO THE DIVERSION OF CERTAIN NATURAL FLOW WATER FOR SPECIFIED MANAGED RECHARGE PROJECTS MUST BE SUBMITTED TO THE IDAHO WATER RESOURCE BOARD FOR APPROVAL OR DISAPPROVAL AND TO REFERENCE THE STATE WATER PLAN.

S 1168
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO GROUND WATER RECHARGE; AMENDING SECTION 42-234, IDAHO CODE, TO REFERENCE PERMITS AND LICENSES, TO REVISE A LEGISLATIVE FINDING, TO REVISE A LEGISLATIVE DECLARATION RELATING TO BENEFICIAL USE, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES TO ISSUE CERTAIN PERMITS AND LICENSES, TO DELETE REFERENCE TO CERTAIN PRIORITY AND DEPLETION PROVISIONS, TO PROVIDE THAT THE DIRECTOR MAY REGULATE THE EXERCISE OF WATER RIGHTS FOR RECHARGE PURPOSES AND TO AUTHORIZE THE DIRECTOR TO APPROVE, DISAPPROVE OR REQUIRE ALTERATIONS IN METHODS EMPLOYED TO IMPLEMENT GROUND WATER RECHARGE; AND REPEALING SECTION 42-4201A, IDAHO CODE, RELATING TO THE DIRECTOR'S AUTHORITY TO ISSUE PERMITS AND LICENSES RELATING TO THE RECHARGE OF GROUND WATER BASINS.

S 1169
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO THE PUBLIC UTILITIES COMMISSION AND ELECTRIC UTILITY WATER RIGHTS; TO PROVIDE FINDINGS AND A STATEMENT OF PURPOSE, TO PROVIDE THAT THE PUBLIC UTILITIES COMMISSION SHALL HAVE NO JURISDICTION TO CONSIDER CERTAIN ISSUES, TO PROVIDE THAT THE IDAHO PUBLIC UTILITIES COMMISSION SHALL ACCEPT AS REASONABLE AND IN THE PUBLIC INTEREST FOR ALL PURPOSES ARTICLE II OF THE FRAMEWORK REAFFIRMING THE SWAN FALLS SETTLEMENT IN ANY PROCEEDINGS BEFORE THE COMMISSION AND TO PROVIDE THAT IMPLEMENTATION OF PROVISIONS OF ARTICLE II OF THE FRAMEWORK REAFFIRMING THE SWAN FALLS SETTLEMENT SHALL NOT CONSTITUTE A SALE, ASSIGNMENT, CONVEYANCE OR TRANSFER AS SPECIFIED.

[S 1165](#), [S 1166](#), [S 1167](#), [S 1168](#), and [S 1169](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 261](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 262](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1145](#) and [S 1144](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[H 255](#), by Appropriations Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Senator Cameron was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, [S 1154](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1153](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bock arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Andreason, Hammond. Total - 2.

Total - 35.

Whereupon the President declared [S 1153](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1159](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Brackett, Broadsword, Cameron, Coiner, Corder, Davis, Fulcher, Geddes, Goedde, Heinrich, Hill, Jorgenson, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Siddoway, Smyser, Thorson (Stennett), Winder. Total - 23.

NAYS—Bilyeu, Bock, Darrington, Kelly, Keough, LeFavour, Sagness (Malepeai), Schroeder, Stegner, Werk. Total - 10.

Absent and excused—Andreason, Hammond. Total - 2.

Total - 35.

Whereupon the President declared [S 1159](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 14](#), as amended, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Kelly arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Andreason, Hammond. Total - 2.

Total - 35.

Whereupon the President declared [H 14](#), as amended, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

[H 141](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Jorgenson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Andreason, Hammond. Total - 2.

Total - 35.

Whereupon the President declared [H 141](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

[H 159](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Cameron disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Andreason, Hammond. Total - 2.

Total - 35.

Whereupon the President declared [H 159](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

[H 217](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Smyser arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Andreason, Hammond. Total - 2.

Total - 35.

Whereupon the President declared [H 217](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

[H 169](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Andreason, Hammond. Total - 2.

Total - 35.

Whereupon the President declared [H 169](#) passed, title was approved, and the bill ordered returned to the House.

[H 32](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Pearce arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Andreason, Hammond. Total - 2.

Total - 35.

Whereupon the President declared [H 32](#), as amended, passed, title was approved, and the bill ordered returned to the House.

The Senate considered the Consent Calendar at this time.

[H 38](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Andreason, Hammond. Total - 2.

Total - 35.

Whereupon the President declared [H 38](#) passed, title was approved, and the bill ordered returned to the House.

[H 44](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Andreason, Hammond. Total - 2.

Total - 35.

Whereupon the President declared [H 44](#) passed, title was approved, and the bill ordered returned to the House.

[H 110](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator

LeFavour arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Andreason, Hammond. Total - 2.

Total - 35.

Whereupon the President declared [H 110](#) passed, title was approved, and the bill ordered returned to the House.

[H 111](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator LeFavour arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Andreason, Hammond. Total - 2.

Total - 35.

Whereupon the President declared [H 111](#) passed, title was approved, and the bill ordered returned to the House.

[H 112](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Coiner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Andreason, Hammond. Total - 2.

Total - 35.

Whereupon the President declared [H 112](#) passed, title was approved, and the bill ordered returned to the House.

H 205 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heinrich arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Andreason, Hammond. Total - 2.

Total - 35.

Whereupon the President declared **H 205** passed, title was approved, and the bill ordered returned to the House.

H 206 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKague arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Andreason, Hammond. Total - 2.

Total - 35.

Whereupon the President declared **H 206** passed, title was approved, and the bill ordered returned to the House.

H 72 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Darrington arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Andreason, Hammond. Total - 2.

Total - 35.

Whereupon the President declared **H 72** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Kelly, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 10:30 a.m., Monday, March 30, 2009.

BRAD LITTLE, President

Attest: JEANNINE WOOD, Secretary